

REMARKS

Claims 2 and 3-5 are all the claims pending in the application. Claims 1 and 6-15 are cancelled without prejudice or disclaimer.

Claims 2 and 3, which are objected to by Examiner but would be allowable if rewritten in independent form, have been rewritten in independent form and are thus allowable.

Claim 4 and 5 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gowda *et al.* (U.S. Patent No. 6,628,333; hereinafter "Gowda"). Applicants submit the following in traversal of the prior art rejections.

Rejection of Claims 4 and 5 under § 102(e) by Gowda

Applicants respectfully submit that claim 4 is patentable because Gowda fails to disclose each and every element of the claim. For example, Gowda fails to disclose a printer-incorporated electronic still camera comprising, *inter alia*:

a detection device for detecting whether or not the recording medium is loaded in the still camera, and

a control device for controlling the display device to display a group of setup items that relate to the photography mode initially if the still camera is not loaded with the recording medium when the setup mode is selected, or a group of setup items that relate to the print mode initially if the still camera is loaded with the recording medium when the setup mode is selected.

In the Final Office Action, the Examiner states that an "electrical connection for power source 138" corresponds to the claimed detection device. The section of Gowda cited by the Examiner (col. 6, lines 51-54) as purportedly providing support merely discloses that "[o]ther embodiments of the instant camera 100 provide for power being supplied to the instant camera 100 and/or the

printer 114 by an instant film cartridge (removable) 136 having an integrated power source 138.”

The providing of power, however, does not *necessarily* disclose the claimed detection device because there is nothing in Gowda to disclose or suggest that the instant camera 100 has the necessary capability to understand that the supply of power is equal to the presence of a loaded instant film cartridge 136. Rather, the user of the instant camera 100 may manually input information indicating that the instant film cartridge 136 is loaded.

Moreover, Gowda fails to disclose the claimed control device. Although the Examiner states that “[i]t is inherent that the camera will remain in photography mode and not allow the user to print if there is no film cartridge and when there is a cartridge, the camera will switch to print mode when it is selected,” there is nothing in Gowda to indicate that this is the case. In Gowda, there is nothing which discloses or suggests that the instant camera 100 is sufficiently intelligent enough to display a group of setup items that relates to the photography mode initially if the still camera is not loaded with the recording medium when the setup mode is selected. Assuming *arguendo*, that Gowda discloses a printing mode, the printing mode may nevertheless be initially displayed and accessible to the user even when the recording medium is not loaded in the camera to allow the user to mark selected images for future printing.

In addition, the descriptions regarding the selection of functions on the preview unit 116 (col. 5, lines 55-col. 6, line 45) are disclosed entirely separately from the descriptions of the instant film cartridge 136 (col. 6, lines 51-54), supporting the Applicants’ position that Gowda does not necessarily disclose or suggest any sort of relationship between what is displayed and whether a recording medium is loaded.

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Therefore, Applicants submit that claim 4 is patentable for at least the reasons submitted above. Claim 5, which depends from claim 4, is patentable for at least the reasons submitted for claim 4.

Lastly, the Examiner acknowledges that claims 2 and 3 are allowable because certain features therein are not taught or suggested by the prior art. However, the language used by the Examiner in describing these exemplary features is not the same as the language contained in all of the claims. Accordingly, Applicants submit that each individual claim is allowable based on its own language, and not based on any paraphrasing of language that may be made by the Examiner.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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CUSTOMER NUMBER

Date: January 4, 2005


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